

SECOND REGULAR SESSION

SENATE BILL NO. 1071

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SMITH.

Read 1st time January 31, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

3166S.03I

AN ACT

To repeal section 130.046, RSMo, and to enact in lieu thereof nine new sections relating to public financing of elections, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 130.046, RSMo, is repealed and nine new sections
2 enacted in lieu thereof, to be known as sections 130.046, 130.500, 130.503,
3 130.506, 130.509, 130.512, 130.515, 130.518, and 143.1010, to read as follows:

130.046. 1. The disclosure reports required by section 130.041 for all
2 committees shall be filed at the following times and for the following periods:

3 (1) Not later than the eighth day before an election for the period closing
4 on the twelfth day before the election if the committee has made any contribution
5 or expenditure either in support or opposition to any candidate or ballot measure;

6 (2) Not later than the thirtieth day after an election for a period closing
7 on the twenty-fifth day after the election, if the committee has made any
8 contribution or expenditure either in support of or opposition to any candidate or
9 ballot measure; except that, a successful candidate who takes office prior to the
10 twenty-fifth day after the election shall have complied with the report
11 requirement of this subdivision if a disclosure report is filed by such candidate
12 and any candidate committee under the candidate's control before such candidate
13 takes office, and such report shall be for the period closing on the day before
14 taking office; [and]

15 (3) Not later than the fifteenth day following the close of each calendar
16 quarter. Notwithstanding the provisions of this subsection, if any committee
17 accepts contributions or makes expenditures in support of or in opposition to a
18 ballot measure or a candidate, and the report required by this subsection for the

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 most recent calendar quarter is filed prior to the fortieth day before the election
20 on the measure or candidate, the committee shall file an additional disclosure
21 report not later than the fortieth day before the election for the period closing on
22 the forty-fifth day before the election; **and**

23 **(4) Every forty-eight hours within thirty days of the election for**
24 **committees making any contribution in support of or in opposition to**
25 **any candidate for state representative, state senator, or governor.**

26 2. In the case of a ballot measure to be qualified to be on the ballot by
27 initiative petition or referendum petition, or a recall petition seeking to remove
28 an incumbent from office, disclosure reports relating to the time for filing such
29 petitions shall be made as follows:

30 (1) In addition to the disclosure reports required to be filed pursuant to
31 subsection 1 of this section the treasurer of a committee, other than a continuing
32 committee, supporting or opposing a petition effort to qualify a measure to appear
33 on the ballot or to remove an incumbent from office shall file an initial disclosure
34 report fifteen days after the committee begins the process of raising or spending
35 money. After such initial report, the committee shall file quarterly disclosure
36 reports as required by subdivision (3) of subsection 1 of this section until such
37 time as the reports required by subdivisions (1) and (2) of subsection 1 of this
38 section are to be filed. In addition the committee shall file a second disclosure
39 report no later than the fifteenth day after the deadline date for submitting such
40 petition. The period covered in the initial report shall begin on the day the
41 committee first accepted contributions or made expenditures to support or oppose
42 the petition effort for qualification of the measure and shall close on the fifth day
43 prior to the date of the report;

44 (2) If the measure has qualified to be on the ballot in an election and if
45 a committee subject to the requirements of subdivision (1) of this subsection is
46 also required to file a preelection disclosure report for such election any time
47 within thirty days after the date on which disclosure reports are required to be
48 filed in accordance with subdivision (1) of this subsection, the treasurer of such
49 committee shall not be required to file the report required by subdivision (1) of
50 this subsection, but shall include in the committee's preelection report all
51 information which would otherwise have been required by subdivision (1) of this
52 subsection.

53 3. The candidate, if applicable, treasurer or deputy treasurer of a
54 committee shall file disclosure reports pursuant to this section, except for any

55 calendar quarter in which the contributions received by the committee or the
56 expenditures or contributions made by the committee do not exceed five hundred
57 dollars. The reporting dates and periods covered for such quarterly reports shall
58 not be later than the fifteenth day of January, April, July and October for periods
59 closing on the thirty-first day of December, the thirty-first day of March, the
60 thirtieth day of June and the thirtieth day of September. No candidate, treasurer
61 or deputy treasurer shall be required to file the quarterly disclosure report
62 required not later than the fifteenth day of any January immediately following
63 a November election, provided that such candidate, treasurer or deputy treasurer
64 shall file the information required on such quarterly report on the quarterly
65 report to be filed not later than the fifteenth day of April immediately following
66 such November election. Each report by such committee shall be cumulative from
67 the date of the last report. In the case of the continuing committee's first report,
68 the report shall be cumulative from the date of the continuing committee's
69 organization. Every candidate, treasurer or deputy treasurer shall file, at a
70 minimum, the campaign disclosure reports covering the quarter immediately
71 preceding the date of the election and those required by subdivisions (1) and (2)
72 of subsection 1 of this section. A continuing committee shall submit additional
73 reports if it makes aggregate expenditures, other than contributions to a
74 committee, of five hundred dollars or more, within the reporting period at the
75 following times for the following periods:

76 (1) Not later than the eighth day before an election for the period closing
77 on the twelfth day before the election;

78 (2) Not later than twenty-four hours after aggregate expenditures of two
79 hundred fifty dollars or more are made after the twelfth day before the election;
80 and

81 (3) Not later than the thirtieth day after an election for a period closing
82 on the twenty-fifth day after the election.

83 4. The reports required to be filed no later than the thirtieth day after an
84 election and any subsequently required report shall be cumulative so as to reflect
85 the total receipts and disbursements of the reporting committee for the entire
86 election campaign in question. The period covered by each disclosure report shall
87 begin on the day after the closing date of the most recent disclosure report filed
88 and end on the closing date for the period covered. If the committee has not
89 previously filed a disclosure report, the period covered begins on the date the
90 committee was formed; except that in the case of a candidate committee, the

91 period covered begins on the date the candidate became a candidate according to
92 the definition of the term candidate in section 130.011.

93 5. Notwithstanding any other provisions of this chapter to the contrary:

94 (1) Certain disclosure reports pertaining to any candidate who receives
95 nomination in a primary election and thereby seeks election in the immediately
96 succeeding general election shall not be required in the following cases:

97 (a) If there are less than fifty days between a primary election and the
98 immediately succeeding general election, the disclosure report required to be filed
99 quarterly; provided that, any other report required to be filed prior to the primary
100 election and all other reports required to be filed not later than the eighth day
101 before the general election are filed no later than the final dates for filing such
102 reports;

103 (b) If there are less than eighty-five days between a primary election and
104 the immediately succeeding general election, the disclosure report required to be
105 filed not later than the thirtieth day after the primary election need not be filed;
106 provided that any report required to be filed prior to the primary election and any
107 other report required to be filed prior to the general election are filed no later
108 than the final dates for filing such reports; and

109 (2) No disclosure report needs to be filed for any reporting period if during
110 that reporting period the committee has neither received contributions
111 aggregating more than five hundred dollars nor made expenditure aggregating
112 more than five hundred dollars and has not received contributions aggregating
113 more than three hundred dollars from any single contributor and if the
114 committee's treasurer files a statement with the appropriate officer that the
115 committee has not exceeded the identified thresholds in the reporting
116 period. Any contributions received or expenditures made which are not reported
117 because this statement is filed in lieu of a disclosure report shall be included in
118 the next disclosure report filed by the committee. This statement shall not be
119 filed in lieu of the report for two or more consecutive disclosure periods if either
120 the contributions received or expenditures made in the aggregate during those
121 reporting periods exceed five hundred dollars. This statement shall not be filed,
122 in lieu of the report, later than the thirtieth day after an election if that report
123 would show a deficit of more than one thousand dollars.

124 6. (1) If the disclosure report required to be filed by a committee not later
125 than the thirtieth day after an election shows a deficit of unpaid loans and other
126 outstanding obligations in excess of five thousand dollars, semiannual

127 supplemental disclosure reports shall be filed with the appropriate officer for each
128 succeeding semiannual period until the deficit is reported in a disclosure report
129 as being reduced to five thousand dollars or less; except that, a supplemental
130 semiannual report shall not be required for any semiannual period which includes
131 the closing date for the reporting period covered in any regular disclosure report
132 which the committee is required to file in connection with an election. The
133 reporting dates and periods covered for semiannual reports shall be not later than
134 the fifteenth day of January and July for periods closing on the thirty-first day
135 of December and the thirtieth day of June.

136 (2) Committees required to file reports pursuant to subsection 2 or 3 of
137 this section which are not otherwise required to file disclosure reports for an
138 election shall file semiannual reports as required by this subsection if their last
139 required disclosure report shows a total of unpaid loans and other outstanding
140 obligations in excess of five thousand dollars.

141 7. In the case of a committee which disbands and is required to file a
142 termination statement pursuant to the provisions of section 130.021 with the
143 appropriate officer not later than the tenth day after the committee was
144 dissolved, the candidate, committee treasurer or deputy treasurer shall attach to
145 the termination statement a complete disclosure report for the period closing on
146 the date of dissolution. A committee shall not utilize the provisions of subsection
147 8 of section 130.021 or the provisions of this subsection to circumvent or
148 otherwise avoid the reporting requirements of subsection 6 or 7 of this section.

149 8. Disclosure reports shall be filed with the appropriate officer not later
150 than 5:00 p.m. prevailing local time of the day designated for the filing of the
151 report and a report postmarked not later than midnight of the day previous to the
152 day designated for filing the report shall be deemed to have been filed in a timely
153 manner. The appropriate officer may establish a policy whereby disclosure
154 reports may be filed by facsimile transmission.

155 9. Each candidate for the office of state representative, state senator, and
156 for statewide elected office shall file all disclosure reports described in section
157 130.041 electronically with the Missouri ethics commission. The Missouri ethics
158 commission shall promulgate rules establishing the standard for electronic filings
159 with the commission and shall propose such rules for the importation of files to
160 the reporting program.

161 10. Any rule or portion of a rule, as that term is defined in section
162 536.010, RSMo, that is created under the authority delegated in this section shall

163 become effective only if it complies with and is subject to all of the provisions of
164 chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and
165 chapter 536, RSMo, are nonseverable and if any of the powers vested with the
166 general assembly pursuant to chapter 536, RSMo, to review, to delay the effective
167 date, or to disapprove and annul a rule are subsequently held unconstitutional,
168 then the grant of rulemaking authority and any rule proposed or adopted after
169 August 28, 2006, shall be invalid and void.

**130.500. Sections 130.500 to 130.518 and section 143.1010, RSMo,
2 may be known and cited as the "Missouri Clean Election Act."**

**130.503. As used in sections 130.500 to 130.518, unless the context
2 otherwise indicates, the following terms have the following meanings:**

3 **(1) "Certified candidate", a candidate for governor, state senator,
4 or state representative who chooses to participate in alternative public
5 financing of their campaign authorized under sections 130.500 to
6 130.518 and who is certified as a Missouri clean election act candidate
7 under subsection 5 of section 130.512;**

8 **(2) "Commission", the Missouri ethics commission established
9 under section 105.955, RSMo;**

10 **(3) "Contribution", has the same meaning as in section 130.011;**

11 **(4) "Fund", the Missouri clean election fund established in section
12 130.509;**

13 **(5) "Nonparticipating candidate", a candidate for governor, state
14 senator or state representative who does not choose to participate in
15 alternative public financing of their campaign authorized under
16 sections 130.500 to 130.518 and who is not seeking to be certified as a
17 Missouri clean election act candidate under subsection 5 of section
18 130.512;**

19 **(6) "Participating candidate", a candidate for governor, state
20 senator, or state representative who is seeking to be certified as a
21 Missouri clean election act candidate under subsection 5 of section
22 130.512;**

23 **(7) "Qualifying contribution", a donation:**

24 **(a) Of five dollars in the form of a check or a money order
25 payable to the fund in support of the candidate;**

26 **(b) Made by any individual eligible to register to vote in this
27 state;**

28 **(c) Made during the designated qualifying period and obtained**

29 with the knowledge and approval of the candidate; and

30 (d) That is acknowledged by a written receipt that identifies the
31 name and address of the donor on forms provided by the commission;

32 (8) "Qualifying period", the following:

33 (a) For a gubernatorial participating candidate, the qualifying
34 period begins November first immediately preceding the election year
35 and ends at the same time the candidate is required under section
36 115.329 or 115.349, RSMo, to file petitions or declarations of candidacy;

37 (b) For state senate or state house of representatives
38 participating candidates, the qualifying period begins January first of
39 the election year and ends at the same time the candidate is required
40 under section 115.329 or 115.349, RSMo, to file petitions or declarations
41 of candidacy;

42 (9) "Seed money contribution", a contribution of no more than
43 one hundred dollars per individual made to a candidate, including a
44 contribution from the candidate or the candidate's family. A candidate
45 may not collect or spend seed money contributions after certification
46 as a Missouri clean election act candidate. A seed money contribution
47 shall be reported according to procedures developed by the
48 commission. A participating candidate who has accepted contributions
49 or made expenditures that do not comply with the seed money
50 restrictions under sections 130.500 to 130.518 may petition the
51 commission to remain eligible for certification as a Missouri clean
52 election act candidate in accordance with rules of the commission, if
53 the failure to comply was unintentional and does not constitute a
54 significant infraction of these restrictions.

130.506. 1. Sections 130.500 to 130.518 establishes an alternative
2 campaign financing option available to candidates for governor, state
3 senator, and state representative. This alternative campaign financing
4 option is available to candidates for elections to be held beginning in
5 the year 2010. The commission shall administer sections 130.500 to
6 130.518 and the fund established in section 130.509. Candidates
7 participating in the Missouri clean election act shall also comply with
8 all other applicable election and campaign laws and regulations.

9 2. Any rule or portion of a rule, as that term is defined in section
10 536.010, RSMo, that is created under the authority delegated in this
11 section shall become effective only if it complies with and is subject to

12 all of the provisions of chapter 536, RSMo, and, if applicable, section
13 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
14 and if any of the powers vested with the general assembly pursuant to
15 chapter 536, RSMo, to review, to delay the effective date, or to
16 disapprove and annul a rule are subsequently held unconstitutional,
17 then the grant of rulemaking authority and any rule proposed or
18 adopted after August 28, 2008, shall be invalid and void.

130.509. 1. There is hereby created in the state treasury the
2 "Missouri Clean Election Fund" to finance the election campaigns of
3 certified Missouri clean election act candidates for governor, state
4 senator, and state representative and to pay administrative and
5 enforcement costs of the commission related to sections 130.500 to
6 130.518. The state treasurer shall be custodian of the fund and may
7 approve disbursements from the fund in accordance with sections
8 30.170 and 30.180, RSMo. Upon appropriation, money in the fund may
9 be used solely for the administration of sections 130.500 to 130.518. Any
10 moneys remaining in the fund at the end of the biennium shall revert
11 to the credit of the general revenue fund. The state treasurer shall
12 invest moneys in the fund in the same manner as other funds are
13 invested. Any interest and moneys earned on such investments shall be
14 credited to the fund.

15 2. The following shall be deposited in the fund:

16 (1) The qualifying contributions required under subsection 3 of
17 section 130.512 when those contributions are submitted to the
18 commission;

19 (2) Two million dollars from the general revenue fund
20 transferred to the clean election fund by the state treasurer on or
21 before January first of each year, beginning January 1, 2009;

22 (3) Revenue from a tax check off program established under
23 section 143.1010, RSMo, allowing a corporation or individual who files
24 a tax return with the state to designate that three or more dollars be
25 paid into the fund. If a husband and wife file a joint return, each
26 spouse may designate that three dollars be paid;

27 (4) Seed money contributions remaining unspent after a
28 candidate has been certified as a Missouri clean election act candidate;

29 (5) Fund revenues that were distributed to a Missouri clean
30 election act candidate and that remain unspent after the candidate has

31 lost a primary election or after all general elections;

32 (6) Other unspent fund revenues distributed to any Missouri
33 clean election act candidate who does not remain a candidate
34 throughout a primary or general election cycle;

35 (7) Voluntary donations made directly to the fund. Any
36 individual may make donations directly to the fund at any time without
37 limitation; and

38 (8) Fines collected under section 130.072 and section 130.515.

39 3. By September first preceding each general election year, the
40 commission shall publish an estimate of revenue in the fund available
41 for distribution to certified candidates during the upcoming year's
42 elections and an estimate of the likely demand for clean election
43 funding during that election.

130.512. 1. A participating candidate shall file a declaration of
2 intent to seek certification as a Missouri clean election act
3 candidate. The declaration of intent shall be filed with the commission
4 prior to or during the qualifying period according to forms and
5 procedures developed by the commission. A participating candidate
6 shall submit a declaration of intent within five business days of
7 collecting qualifying contributions or such contributions collected
8 before the declaration of intent has been filed shall not be counted
9 toward the eligibility requirement in subsection 5 of this section.

10 2. A participating candidate shall limit the candidate's seed
11 money contributions to the following amounts:

12 (1) Fifty thousand dollars for a gubernatorial candidate;

13 (2) One thousand five hundred dollars for a candidate for the
14 state senate; or

15 (3) Five hundred dollars for a candidate for the state house of
16 representatives.

17 The commission may, by rule, revise these amounts to ensure the
18 effective implementation of sections 130.500 to 130.518.

19 3. Participating candidates shall obtain qualifying contributions
20 during the qualifying period as follows:

21 (1) For a gubernatorial candidate, at least two thousand five
22 hundred individuals eligible to register to vote in this state shall
23 support the candidacy by providing a qualifying contribution to that
24 candidate;

25 **(2) For a candidate for the state senate, at least one hundred**
26 **fifty individuals eligible to register to vote in this state shall support**
27 **the candidacy by providing a qualifying contribution to that candidate;**
28 **or**

29 **(3) For a candidate for the state house of representatives, at**
30 **least fifty individuals registered to vote in this state shall support the**
31 **candidacy by providing a qualifying contribution to that candidate.**
32 **A payment, gift or anything of value may not be given in exchange for**
33 **a qualifying contribution.**

34 **4. A participating candidate shall submit qualifying**
35 **contributions within ten days of receiving the contribution to the**
36 **commission during the qualifying period according to procedures**
37 **developed by the commission.**

38 **5. Upon receipt of a final submission of qualifying contributions**
39 **by a participating candidate, the commission shall determine whether**
40 **or not the candidate has:**

41 **(1) Signed and filed a declaration of intent to seek certification**
42 **as required under subsection 1 of this section;**

43 **(2) Submitted the appropriate number of valid qualifying**
44 **contributions;**

45 **(3) Qualified as a candidate by petition or other means;**

46 **(4) Accepted no contributions, except for seed money and**
47 **qualifying contributions;**

48 **(5) Not run for the same office as a nonparticipating candidate**
49 **in a primary election in the same general election year; and**

50 **(6) Otherwise met the requirements for participating as a**
51 **Missouri clean election act candidate.**

52 **The commission shall certify a candidate complying with the**
53 **requirements of this section as a Missouri clean election act candidate**
54 **as soon as possible and no later than three business days after final**
55 **submission of qualifying contributions. Upon certification, a candidate**
56 **shall transfer any unspent seed money contributions to the commission**
57 **for deposit in the fund.**

58 **6. After certification, a candidate shall limit the candidate's**
59 **campaign expenditures and obligations, including outstanding**
60 **obligations, to the revenues distributed to the candidate from the fund**
61 **and may not accept any contributions unless specifically authorized by**

62 the commission. Candidates may, however, accept and spend interest
63 earned on bank accounts containing revenues distributed from the
64 fund. All revenues distributed to a certified candidate from the fund
65 shall be used for campaign-related purposes. The commission shall
66 publish guidelines outlining permissible campaign-related
67 expenditures.

68 7. The commission shall distribute to certified candidates
69 revenues from the fund in amounts determined under subsection 8 of
70 this section in the following manner:

71 (1) Within three days after certification, for candidates certified
72 prior to the deadline for filing a declaration of candidacy under section
73 115.349, RSMo, revenues from the fund shall be distributed as if the
74 candidates are in an uncontested primary election;

75 (2) Within three days after certification, for all candidates
76 certified between the deadline for filing a declaration of candidacy
77 under section 115.349, RSMo, and thirty days thereafter, revenues from
78 the fund shall be distributed according to whether the candidate is in
79 a contested or uncontested primary election;

80 (3) Within three days after the secretary of state has certified the
81 names of candidates to be included on a ballot in a special election for
82 state representative or state senator;

83 (4) For candidates in contested primary elections receiving a
84 distribution under subdivision (1) of this subsection, additional
85 revenues from the fund shall be distributed within three days of the
86 deadline for filing a declaration of candidacy under section 115.349,
87 RSMo;

88 (5) Within three days after the primary election results are
89 certified, for general election certified candidates, revenues from the
90 fund shall be distributed according to whether the candidate is in a
91 contested or uncontested general election.

92 Funds shall be distributed to certified candidates under this section by
93 any mechanism that is expeditious, ensures accountability and
94 safeguards the integrity of the fund.

95 7. A candidate certified as a clean election candidate who wins
96 the primary election shall be required to be a participating candidate
97 for the general election.

98 8. The candidate, treasurer, or candidate committee shall deposit

99 all revenues from the fund in a campaign account with a bank or other
100 financial institution. The campaign funds shall be segregated from, and
101 may not be commingled with, any other funds.

102 9. By July 1, 2009, and at least every two years thereafter, the
103 commission shall determine the amount of funds to be distributed to
104 participating candidates based on the type of election and office as
105 follows:

106 (1) For contested legislative primary elections, the amount of
107 revenues to be distributed shall be the average amount of campaign
108 expenditures made by each candidate during all contested primary
109 election races for the immediately preceding two primary elections for
110 the respective offices of state senate and state house of representatives;

111 (2) For uncontested legislative primary elections, the amount of
112 revenues distributed shall be the average amount of campaign
113 expenditures made by each candidate during all uncontested primary
114 election races for the immediately preceding two primary elections for
115 the respective offices of state senate and state house of representatives;

116 (3) For contested legislative general elections, the amount of
117 revenues distributed shall be the average amount of campaign
118 expenditures made by each candidate during all contested general
119 election races for the immediately preceding two general elections for
120 the respective offices of state senate and state house of representatives;

121 (4) For uncontested legislative general elections, the amount of
122 revenues to be distributed from the fund shall be forty percent of the
123 amount that would have been distributed under subdivision (3) of this
124 subsection to the participating candidate had the election been
125 contested;

126 (5) For gubernatorial primary elections, the amount of revenues
127 distributed shall be two hundred thousand dollars per candidate in the
128 primary election;

129 (6) For gubernatorial general elections, the amount of revenues
130 distributed shall be four hundred thousand dollars per candidate in the
131 general election.

132 If the immediately preceding election cycles do not contain sufficient
133 electoral data, the commission shall use information from the most
134 recent applicable elections.

135 10. When any disclosure report shows that the sum of a

136 nonparticipating candidate's expenditures or obligations, or
137 contributions, whichever is greater, alone or in conjunction with
138 independent expenditures exceeds the distribution amount under
139 subsection 8 of this section, the commission shall issue immediately to
140 any opposing Missouri clean election act candidate an additional
141 amount equivalent to the reported excess. Matching funds are limited
142 to two times the amount originally distributed under subdivisions (1),
143 (3), (5), or (6) of subsection 8 of this section, whichever is applicable.

144 11. New party and independent candidates certified prior to the
145 primary election are eligible for revenues from the fund in the same
146 amounts and at the same time as an uncontested primary election
147 candidate and a general election candidate as specified in subsections
148 7 and 8 of this section. New party and independent candidates certified
149 after the primary are eligible for revenues from the fund in the same
150 amounts as a general election candidate, as specified in subsections 7
151 and 8 of this section.

152 12. Participating and certified candidates shall report any money
153 collected, all campaign expenditures, obligations, and related activities
154 to the commission thirty days preceding a general election or a primary
155 election in which the candidate was defeated. Upon the filing of this
156 final report, the candidate shall return all unspent fund revenues to the
157 commission. The commission shall ensure timely public access to
158 campaign finance data and may utilize electronic means of reporting
159 and storing information.

160 13. The participating and certified candidate's campaign
161 treasurer shall obtain and keep:

162 (1) Bank or other account statements for the campaign account
163 covering the duration of the campaign;

164 (2) A vendor invoice stating the particular goods or services
165 purchased for every expenditure of fifty dollars or more; and

166 (3) A record proving that a vendor received payment for every
167 expenditure of fifty dollars or more in the form of a cancelled check,
168 receipt from the vendor or bank or credit card statement identifying
169 the vendor as the payee.

170 The treasurer shall preserve the records for two years following the
171 candidate's final report, required under subsection 11 of this section,
172 for the election cycle. The candidate shall submit photocopies of the

173 records to the commission upon its request.

174 14. The commission may not distribute revenues to certified
175 candidates in excess of the total amount of money deposited in the fund
176 as set forth in section 130.509. Notwithstanding any other provisions
177 of sections 130.500 to 130.518, if the commission determines that the
178 revenues in the fund are insufficient to meet distributions under
179 subsections 8 or 9 of this section, the commission may permit certified
180 candidates to accept and spend contributions, reduced by any seed
181 money contributions, aggregating no more than five hundred dollars
182 per donor per election for gubernatorial candidates and two hundred
183 fifty dollars per donor per election for state senate and state house
184 candidates, up to the applicable amounts set forth in subsections 8 and
185 9 of this section according to rules adopted by the commission.

186 15. A candidate who has been denied certification as a Missouri
187 clean election act candidate, the opponent of a candidate who has been
188 granted certification as a Missouri clean election act candidate, or
189 other interested persons may challenge a certification decision by the
190 commission as follows:

191 (1) A challenger may appeal to the commission within seven days
192 of the certification decision. The appeal shall be in writing and shall
193 set forth the reasons for the appeal;

194 (2) Within five days after an appeal is properly filed and after
195 notice is given to the challenger, and if applicable the certified
196 candidate, the commission shall hold a hearing. The challenger has the
197 burden of providing by a preponderance of the evidence that the
198 commission decision was improper. The commission shall rule on the
199 appeal within three days after the completion of the hearing;

200 (3) A challenger may appeal the decision of the commission in
201 subdivision (2) of this subsection by commencing an action in the Cole
202 County circuit court;

203 (4) A candidate whose certification by the commission as a
204 Missouri clean election act candidate is revoked on appeal shall return
205 any unspent revenues distributed from the fund to the commission. If
206 the commission or the court find that an appeal was filed frivolously or
207 to cause delay or hardship, the commission or court may require the
208 moving party to pay costs of the commission, court and opposing
209 parties.

130.515. A person who violates any provision of sections 130.500
2 to 130.518 is subject to a fine not to exceed ten thousand dollars per
3 violation payable to the fund. Fines paid under this section shall be
4 deposited in the fund. Any person certified as a Missouri clean election
5 act candidate in violation of sections 130.500 to 130.518, shall return to
6 the fund all amounts distributed to the candidate.

130.518. 1. There is established a joint committee of the general
2 assembly to be known as the "Joint Committee on Clean Elections", to
3 be comprised of five members of the senate and five members of the
4 house of representatives. Three of the senate members shall be
5 appointed by the president pro tem of the senate and two by the senate
6 minority leader. Three of the house members shall be appointed by the
7 speaker of the house and two by the house minority leader. The
8 appointment of each member shall continue during his or her term of
9 office as a member of the house or senate or until a successor has been
10 duly appointed to fill his or her place when his or her term of office as
11 a member of the house or senate has expired.

12 2. The committee shall study and recommend legislation relating
13 to the administration, implementation, and enforcement of the Missouri
14 clean elections act. The committee shall submit to the general assembly
15 a written report documenting its findings and recommendations by
16 December thirty-first of each year beginning in 2011.

143.1010. In each taxable year beginning on or after January 1,
2 2008, each individual or corporation entitled to a tax refund in any
3 amount sufficient to make a designation under this section may
4 designate that three or more dollars on a single or six or more dollars
5 on a combined return, of the refund due be credited to the Missouri
6 clean election fund created in section 130.509, RSMo. The contribution
7 designation authorized by this section shall be clearly and
8 unambiguously printed on the first page of each income tax return form
9 provided by the state. The department of revenue shall deposit such
10 amount to the Missouri clean election fund as provided in section
11 130.509, RSMo.

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